

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ERIC ATANASOFF, Derivatively on Behalf of
CLEANSPARK, INC.,

Plaintiff,

v.

ZACHARY K. BRADFORD,
S. MATTHEW SCHULTZ, ROGER P.
BEYNON, LARRY MCNEILL, and THOMAS
L. WOOD,

Defendants,

-and-

CLEANSPARK, INC., a Nevada Corporation,

Nominal Defendant.

Case No.: 2:23-cv-00358-ART-BNW

(Removal from District Court, Clark County,
Nevada, Case No. A-23-866492-C)

ORDER APPROVING

**STIPULATION TO RESET
BRIEFING SCHEDULE FOR
MOTION TO DISMISS**

Plaintiff Eric Atanasoff (“Plaintiff”), derivatively on behalf of Nominal Plaintiff CleanSpark, Inc. (“CleanSpark”) and Defendants Zachary K. Bradford, S. Matthew Schultz, Larry McNeill, Thomas L. Wood, Roger P. Beynon (the “Individual Defendants”), and Nominal Defendant CleanSpark (together with the Individual Defendants, “Defendants”) (collectively, with Plaintiff, the “Parties”), by and through their undersigned counsel, hereby enter into the following stipulation and proposed order:

WHEREAS, on April 25, 2023 the Court granted the Stipulation to Set Briefing Schedule for Motion to Dismiss (ECF No. 21)(the “Scheduling Order”);

WHEREAS, on May 5, 2023, Defendants filed their Motion to Dismiss or, in the

Alternative, to Stay the Action (the “Motion to Dismiss”) in accordance with the Scheduling Order; and

WHEREAS, pursuant to the Scheduling Order, Plaintiff’s deadline to oppose the Motion to Dismiss is currently June 5, 2023; and

WHEREAS, pursuant to the Scheduling Order, Defendants’ deadline to reply in support of the Motion to Dismiss is currently June 26, 2023

WHEREAS, the parties now seek a short additional extension for both Plaintiff’s opposition and Defendants’ subsequent reply.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by the Parties hereto, through their undersigned counsel, subject to the approval of the Court, as follows:

1. Plaintiff’s deadline to oppose the Motion to Dismiss is extended until on or before June 12, 2023.

2. Defendants’ deadline to reply in support of the Motion to Dismiss is extended until on or before July 7, 2023.

3. Other than as agreed herein, the Parties reserve all rights.

DATED: June 1, 2023

DATED: June 1, 2023

FOX ROTHSCHILD LLP

ALDRICH LAW FIRM, LTD.

s/ Mark J. Connot

s/ Catherine Hernandez

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Counsel for Plaintiff

1 IT IS SO ORDERED.

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4 Anne R. Traum
5 United States District Court Judge

6 DATED: June 5, 2023
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